

EDWARD H. KUBO, JR. #2499  
United States Attorney  
District of Hawaii

FLORENCE T. NAKAKUNI #2286  
Chief, Drug/Organized Crime Section

BEVERLY WEE SAMESHIMA #2556  
Assistant U.S. Attorney  
PJKK Federal Building, Room 6-100  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850  
Telephone: (808) 541-2850  
Facsimile: (808) 541-2958  
E-mail: [Beverly.Sameshima@usdoj.gov](mailto:Beverly.Sameshima@usdoj.gov)

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00285 JMS
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING TRIAL DATE
vs.	)	AND EXCLUDING TIME UNDER THE
	)	SPEEDY TRIAL ACT
RICHARD FIAPOTO,	)	
aka "Richie Rich,"	)	Old Trial Date: 01/24/06
	)	New Trial Date: 04/04/06
Defendant.	)	
_____	)	

STIPULATION AND ORDER CONTINUING TRIAL DATE  
AND EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT

Plaintiff United States of America and Defendant  
Richard Fiapoto, also known as "Richie Rich," by and through  
their respective counsel, herein stipulate to continue the trial  
in this matter from January 24, 2006, to and including April 4,  
2006. The reason for the continuance is to allow the defense

adequate time to prepare for trial given the discovery in this case and newly appointed retained counsel's presence in the case.

The continuance is granted to ensure the continuity of counsel and to allow Defendant and his counsel sufficient time to adequately prepare for trial, taking into account the exercise of due diligence. The Court finds that the ends of justice are best served by granting a continuance in this matter and that the ends of justice served by the continuance outweigh the interests of the Defendant and the public in a speedy trial for the stated reasons. The Court further finds that the first available date for counsel for the Defendant and the government for trial is April 4, 2006, to ensure continuity of counsel for all parties.

Accordingly, the Court finds that the ends of justice are best served by granting a continuance in this matter and that the ends of justice served by the continuance outweigh the interests of the Defendant and the public in a speedy trial given the discovery in this case. It is hereby ordered that jury selection and trial for this matter be set for April 4, 2006, before the Honorable J. Michael Seabright and a Final Pretrial Conference shall be held before Magistrate Judge Barry M. Kurren on March 6, 2006 at 10:00 a.m. The Court finds that the period of time from and including January 24, 2006, to and including April 4, 2006, constitutes a period of excludable delay pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (h)(8)(B).

SO STIPULATED.

DATED: January \_\_\_\_\_, 2006, at Honolulu, Hawaii.

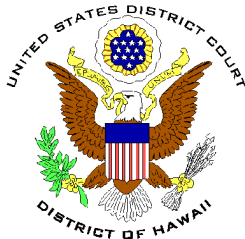
EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

By /s/ Beverly Wee Sameshima  
BEVERLY WEE SAMEISHIMA  
Attorney for Plaintiff

/s/ Michael Green  
MICHAEL GREEN, ESQ.  
Attorney for Defendant  
RICHARD FIAPOTO

APPROVED AND SO ORDERED:

DATED: Honolulu, Hawaii, January 27, 2006.



J. Michael Seabright  
J. Michael Seabright  
United States District Judge

UNITED STATES V. RICHARD FIAPOTO

Cr. No. 05-00285 JMS

"Stipulation and Order Continuing Trial Date and Excluding Time  
Under the Speedy Trial Act"